

# **PROJECT REVIEW PROCESS**

(Legislative Draft - March 27, 2012)

**DRAFT**

## **1. OBJECTIVE:**

To establish a consistent review process for applicable items before the Planning Commission that will enhance the efficiency and effectiveness of the Commission, will provide more information for timely review by the Commission, applicant and public, and will clarify the process for all parties and Staff.

## **2. APPLICABILITY:**

The Project Review Process applies to all public hearing or non-public hearing items **as determined by the Planning Commission Chair and Planning and Building Director** that come before the Planning Commission.

## **3. PROCESS:**

### A) For items subject to mandatory processing deadlines:

- 1) The item shall be placed for review on the Study Session agenda no later than the third Planning Commission meeting prior to the deadline.
- 2) The item shall be placed for action on the Public Meeting agenda no later than the second Commission meeting prior to the deadline with the public hearing, if applicable, to be opened.
- 3) An item may be continued to a meeting prior to the mandatory processing deadline, except as provided by law.

### B) For items not subject to mandatory processing deadlines:

- 1) The item shall be placed for review on the Study Session agenda of the next available Planning Commission meeting.
- 2) The item shall be placed for action on the Public Meeting agenda of a subsequent Commission meeting, with the public hearing (if applicable) opened.
- 3) The item may be continued to the next, or any subsequent, Commission meeting, as necessary.

### C) At the Study Session:

- 1) Staff presentation, with available documentation, to Commission, with Questions & Answers between staff and Commission. Staff presentation may include but not be limited to information available on:
  - a. Project Request and Special Considerations (entitlements, variances, special permits, etc.)
  - b. Current Land Use, History of Site, General Plan Designation and Zoning
  - c. Review of Application Process and Timelines
  - d. CEQA Analysis/Review
  - e. Comments from City Departments and other Public Agencies
  - f. Summary of any Public Meetings, Comments and Concerns
  - e. Planning Issues

D) At the Public Meeting:

- 1) Item will be placed on the Public Meeting Agenda as a properly noticed Public Hearing item or as a Non-Public Hearing item, as appropriate.
- 2) Format for a Public Hearing item shall be:
  - a. Chair Announces the Agenda Item
  - b. Planning Commission Disclosures
  - c. Staff Presentation of Item and Staff Report
  - d. Commission Questions or Clarification of Staff Presentation
  - e. Chair Opens Public Hearing
  - f. Applicant/Appellant Presentation -- May include applicant/appellant, consultant(s), contractor(s) for a reasonable amount of time to be determined by the Chair or Commission and in appropriate format or content desired by applicant
  - g. Commission Questions or Clarification of Applicant/Appellant
  - h. Public Comments
  - i. Commission Questions or Clarification of Public Comments
  - j. Chair Closes Public Hearing
  - k. Staff Responses to Applicant/Appellant Presentation and Public Comments
  - l. Commission Questions and Discussion
  - m. Commission Deliberation and Action
  - n. Planning Commission Action may include:
    - Approve/deny item/application/appeal with Staff suggested Findings and Conditions
    - Approve/deny item/application/appeal with alternative Findings and Conditions
    - Continue item/application/appeal to subsequent meeting and direct Staff accordingly
  - o. Appeal Process, when applicable, Announced by Staff
- 3) Format for a Non-Public Hearing item shall be:
  - a. Chair Announces the Agenda Item
  - b. Staff Presentation of Item
  - c. Commission Questions or Clarification of Staff Presentation
  - d. Commission Discussion
  - e. Commission Deliberation and Action
  - f. Planning Commission Action may include:
    - Approve/deny item/application/appeal with Staff suggested Findings and Conditions
    - Approve/deny item/application/appeal with alternative Findings and Conditions
    - Continue item/application/appeal to subsequent meeting and direct Staff accordingly
  - g. Appeal Process, when applicable, Announced by Staff

E) Disclosure and Provision of Information:

- 1) All information available pertaining to the item shall be delivered to the Planning Commission seven (7) days in advance of the applicable Study Session or Public Meeting.
- 2) All the above information shall be made available to the applicant/appellant and the public seven (7) days in advance of said meetings.
- 3) All the above information shall be posted in/on the City of Huntington Beach internet website seven (7) days in advance of said meetings.

F) Allocation of Speaker's Time:

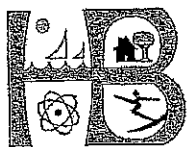
- 1) This provision of Allocation of Speaker's Time shall only be applicable to Public Hearing items.
- 2) Members of the public who wish to speak or make a presentation during the Public Comments section of the open Public Hearing on a Public Hearing item must complete and submit a Request to Speak Form prior to the close of the applicable Public Hearing Comments section. Speakers will be called in order of receipt of the request form.
- 3) Members of the public, to a maximum of two (2) each, may donate their time, to a maximum of eight (8) minutes, to a single speaker, giving said speaker a maximum of twelve (12) minutes for presentation. Donations of time must be made in advance at the time the single speaker's request form is submitted. Members of the public who donate their time to another may not themselves speak and must be present during the time the recipient of their donated time speaks.

APPROVED AND ADOPTED ON THE 27<sup>TH</sup> DAY OF MARCH, 2012, by a vote of \_\_\_\_\_  
(\_\_\_\_\_).

ATTEST:

\_\_\_\_\_  
Scott Hess, Secretary

\_\_\_\_\_  
Janis Mantini, Chair  
Planning Commission



## CITY OF HUNTINGTON BEACH

### City Council Interoffice Communication

**To:** Honorable City Council Members  
Joe Carchio, Mayor  
Devin Dwyer, City Council Member  
Matthew Harper, City Council Member

**Date:** July 20, 2011

**Subject:** **CITY COUNCIL MEMBER ITEM FOR AUGUST 1, 2011, CITY COUNCIL MEETING - PLANNING COMMISSIONERS APPEAL FEE AND PROJECT REVIEW PROCESS**

#### STATEMENT OF ISSUE:

The City Council has adopted three important documents to address the local economy, position the city as the "number one city to do business with," and continue to streamline the process for new or existing businesses. They are: 1) the City Council's Strategic Planning Goals, specifically the three-year goal of "Enhancing Economic Development," 2) the city's Ten Point Plan for Local Businesses, and 3) City Council Resolution No. 2010-84 - adopting SCAG's Business Friendly Principles.

In carrying out these economic goals, we believe it's important to continually review our processes and review the many requirements that affect the establishment or expansion of our local businesses. To that end, we would like staff to review the appeal process for Planning Commissioners, particularly the lack of an appeal fee as noted in Huntington Beach Zoning and Subdivision Ordinance (HBZSO) Section 248.28 A, which states in part, "The appeal shall be processed in the same manner as an appeal by any other person but need not be accompanied by the fee prescribed for an appeal." Secondly, we would like staff to work with the Planning Commission to possibly eliminate Study Sessions for most projects by amending or eliminating the "Project Review Process." Often times, this review process unnecessarily adds two to three weeks to an applicant's zoning entitlement processing time.

#### RECOMMENDED ACTION:

As a result, we ask the City Council to consider the following motion:

Direct the City Attorney to draft and return with an ordinance for City Council's consideration to amend the HBZSO so that an appeal fee will be required when appealed by a Planning Commissioner, and direct staff to work with the Planning Commission regarding the need to review every project at a Study Session by amending or eliminating the Planning Commission's Project Review Process.

**xc:** Fred A. Wilson, City Manager  
Bob Hall, Deputy City Manager  
Scott Hess, Director of Planning & Building